

STATE OF NORTH CAROLINA

In The General Court of Justice

☐ District ☒ Superior Court Division

Iredell County

82CRS 9358
82CRS 9359

File No. 82CRS 7297
82CRS 7298
82CRS 10384
82CRS 10385
Film No. 82CRS 10386
82CRS 10387

STATE VERSUS

Defendant

Shaun Antonio Hayden

Race

Sex

Age

Black

Male

16 Years

Attorney for State

H. W. Zimmerman, Jr.

JUDGMENT AND COMMITMENT

- ☐ Misdemeanor
☒ Fair Sentencing Act Felony
☐ Pre-Fair Sentencing Act Felony

Attorney for Defendant

J. H. Rennick

☐ Waived attorney

Costi Kutteh, Atty App

In open court the defendant appeared for trial on the following File No(s), and Charge(s) (include dates of offenses):

82CRS 7297-1st Deg. Burglary-5/23/82	82CRS 10385-1st Deg. Sexual Off.-8/21/82
82CRS 7298-Att. Rape-5/23/82	82CRS 10386-B & E & L-8/21/82
82CRS 10384-Assault With Deadly Weapon	82CRS 10387-1st Deg. Rape-8/21/82
With Intent to Kill Inflicting Serious	82CRS 9358-2nd Deg. Sexual Off.-4/29/82
Injury Not Resulting in Death-8/21/82	82CRS 9359-Att. 2nd Deg. Rape-4/29/82

The defendant

☒ pled guilty to:

☐ was found guilty of:

☐ pled no contest to:

Offense(s)

First Degree Burglary
Attempted Rape
Assault With Deadly Weapon With Intent
To Kill Inflicting Serious Injury Not
Resulting In Death
1st Degree Sexual Offense
B & E & L (See Page #2)

G.S. No.

Felony/Misd.

Felony Class

Maximum Prison
Term Allowed by Law

14-51,52

Felony

C

14-27.6

Felony

F

14-32 (a)

Felony

F

14-27.4

Felony

B

14-54(a)

Felony

H

The above listed offenses are consolidated for the purpose of judgment.

The Court having considered evidence, arguments of counsel, and statement of the defendant ORDERS AND ADJUDGES that the defendant be imprisoned

For a term of:

HIS NATURAL LIFE

TO BE SERVED AS A REGULAR YOUTHFUL OFFENDER

in the custody of the

☒ N.C. Dept. of Correction

☐ Sheriff of

County

NOTE: For Fair Sentencing Act Felonies, Judge may not impose a minimum and maximum prison term.

- ☐ The sentence imposed above shall begin at the expiration of all of sentences which the defendant is presently obligated to serve.
☐ The sentence imposed above shall begin at the expiration of the sentence imposed in the case referenced below:

Case number, county & court in which prior sentence imposed, date sentence imposed.

(check all that apply)

- ☐ The defendant shall serve as a committed youthful offender (CYO) pursuant to G.S. Chapter 148 Article 3B.
☒ The defendant shall be given credit for 293 days spent in confinement prior to the date of this judgment.
☐ The defendant shall pay the costs.
☐ The defendant shall pay a fine of \$ _____.
☐ Work release is recommended.
☐ Immediate work release is recommended.
☐ The Court does not recommend restitution or reparation as a condition of attaining work release or parole (this condition of parole is not applicable to Fair Sentencing Act Felonies.).
☐ The Court recommends that as a condition of attaining work release or parole (this condition of parole is not applicable to Fair Sentencing Act Felonies.), the defendant pay restitution as provided below.
☐ The Court recommends that the defendant be required to pay from his work release earnings restitution as provided below.

Ex. C

STATE OF NORTH CAROLINA

In The General Court of Justice

☐ District ☒ Superior Court Division

PAGE 2

File No.

Film No.

Iredell County

STATE VERSUS

Defendant

Shaun Antonio Hayden

Race

Black

Sex

Male

Age

16 Years

Attorney for State

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JUDGMENT AND COMMITMENT

- ☐ Misdemeanor
☒ Fair Sentencing Act Felony
☐ Pre-Fair Sentencing Act Felony

Attorney for Defendant J. H. Rennick

☐ Waived attorney Costi Kutteh, Atty. App.

In open court the defendant appeared for trial on the following File No(s), and Charge(s) (include dates of offenses):

SEE PAGE #1

The defendant

☒ pled guilty to:

☐ was found guilty of:

☐ pled no contest to:

Offense(s)

Charges Continued From 1st Page

2nd Degree Sexual Offense

Attempted 2nd Degree Rape

1st Degree Rape

G.S. No.

14-27.5

14-27.6

14-27.2

Felony/Misd.

Felony

Felony

Felony

Felony Class

D

H

B

Maximum Prison
Term Allowed by Law

All Charge

Two Life

Terms +

160 Years

The above listed offenses are consolidated for the purpose of judgment.

The Court having considered evidence, arguments of counsel, and statement of the defendant ORDERS AND ADJUDGES that the defendant be imprisoned

For a term of:

SEE PAGE #1

in the custody of the

☐ N.C. Dept. of Correction

☐ Sheriff of

County

NOTE: For Fair Sentencing Act Felonies, Judge may not impose a minimum and maximum prison term.

- ☐ The sentence imposed above shall begin at the expiration of all of sentences which the defendant is presently obligated to serve.
☐ The sentence imposed above shall begin at the expiration of the sentence imposed in the case referenced below:

Case number, county & court in which prior sentence imposed, date sentence imposed.

(check all that apply)

- ☐ The defendant shall serve as a committed youthful offender (CYO) pursuant to G.S. Chapter 148 Article 3B.
☐ The defendant should not obtain the benefit of release under G.S. 148-49.15.
☐ The defendant shall be given credit for _____ days spent in confinement prior to the date of this judgment.
☐ The defendant shall pay the costs.
☐ The defendant shall pay a fine of \$ _____.
☐ Work release is recommended.
☐ Immediate work release is recommended.
☐ The Court does not recommend restitution or reparation as a condition of attaining work release or parole (this condition of parole is not applicable to Fair Sentencing Act Felonies.)
☐ The Court recommends that as a condition of attaining work release or parole (this condition of parole is not applicable to Fair Sentencing Act Felonies.), the defendant pay restitution as provided below.
☐ The Court recommends that the defendant be required to pay from his work release earnings restitution as provided below.

The Court further recommends: Upon entrance of the Defendant to the Department of Corrections the defendant is to receive psychological & psychiatric treatment as provided by the State of North Carolina.

For Use With Fair Sentencing Act Felonies Only

The Court has considered the aggravating and mitigating factors in G.S. 15A-1340.4(a) and;

- ☒ makes no written findings because the prison term imposed is pursuant to a plea arrangement as to sentence under Article 58 of G.S. Chapter 15A.
- ☐ makes no written findings because the prison term imposed is the presumptive term or is the mandatory minimum term required by law
- ☐ makes written findings set forth on the Findings of Factors in Aggravation and Mitigation of Punishment (AOC-CR-303)

Order of Commitment

It is FURTHER ORDERED that the Clerk deliver three certified copies of this Judgment and Commitment to the Sheriff or other qualified officer and that the officer cause the defendant to be delivered with these copies of the judgment to the custody of the agency named on the reverse to serve the sentence imposed or until he shall have complied with the conditions for release pending appeal.

Date	Name of Presiding Judge	Signature of Presiding Judge
3/15/83	JAMES C. DAVIS	<i>James C Davis</i>

Appeal Entries

The defendant gives notice of appeal to the:

- ☐ N.C. Court of Appeals ☐ N.C. Supreme Court. The defendant is allowed _____ days to serve proposed record on appeal, and the State is allowed _____ days after such service to serve objections or proposed alternative record on appeal. Release of defendant pursuant to G.S. 15A-536 is _____

Date	Name of Presiding Judge	Signature of Presiding Judge

Order of Commitment after Appellate Determination

Date withdrawal of appeal per G.S. 15A-1450 filed	Date Appellate Court Opinion finding no error filed.
It is ORDERED that the Judgment herein be executed. It is further ORDERED that if there be need, the Sheriff arrest and recommit the defendant to the custody of the official named in the Judgment and furnish that official two certified copies of this Judgment and this Order as authority for the commitment and detention of the defendant.	
Date	Signature of Clerk of Superior Court
	<input type="checkbox"/> Deputy <input type="checkbox"/> Assistant <input type="checkbox"/> Clerk of Superior Court

Certification

I certify that this Judgment and Commitment ☐ and attached Findings of Factors in Aggravation and Mitigation of Punishment (AOC-CR 303) is a true and complete copy of the original which is on file in this case.

Date of Certification	Date Certified Copies Delivered to Sheriff	Signature and Seal
3-16-83	3-16-83	<i>James C Davis</i>
<input type="checkbox"/> Deputy <input type="checkbox"/> Assistant <input type="checkbox"/> Clerk of Superior Court		

The Court further recommends:

For Use With Fair Sentencing Act Felonies Only

The Court has considered the aggravating and mitigating factors in G.S. 15A-1340.4(a) and;

- ☒ makes no written findings because the prison term imposed is pursuant to a plea arrangement as to sentence under Article 58 of G.S. Chapter 15A.
- ☐ makes no written findings because the prison term imposed is the presumptive term or is the mandatory minimum term required by law
- ☐ makes written findings set forth on the Findings of Factors in Aggravation and Mitigation of Punishment (AOC-CR-303)

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3/15/83	JAMES C. DAVIS	<i>James C. Davis</i>

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Date of Certification	Date Certified Copies Delivered to Sheriff	Signature and Seal
3-16-83	3-16-83	<i>Linda J. Davis</i>
<input type="checkbox"/> Deputy <input type="checkbox"/> Assistant <input type="checkbox"/> Clerk of Superior Court		